

20121212000475420 1/2 \$20.00
Shelby Cnty Judge of Probate, AL
12/12/2012 11:23:49 AM FILED/CERT

AUCTIONEER'S DEED

STATE OF ALABAMA
COUNTY OF SHELBY

WHEREAS, Brian Kirk and Tiffany B. Kirk, Husband and Wife executed a Mortgage to Mortgage Electronic Registration Systems, Inc., (MERS) acting solely as nominee for Lender, RBC Bank, (USA), a Corporation, and Lender's Successors and Assigns dated February 13, 2009 and Recorded in Instrument No. 20090305000081720, of the records in the Office of the Judge of Probate, Shelby County, Alabama; which said mortgage was subsequently assigned to Bank of America, N. A. by instrument recorded in Instrument No. 20120221000062230 of said Probate Court records; and

WHEREAS, in said mortgage the mortgagee was vested with full power and authority, upon the happening of a default in the payment of the principal note described in and secured by said mortgage or any installment of interest thereon, to sell said property hereinafter described at public outcry before the Courthouse door in the City of Columbiana, County of Shelby, Alabama, for cash to the highest bidder, after giving notice of the time, place and terms of sale by an advertisement published once a week for three successive weeks in a newspaper published in the City of Columbiana, Alabama; and

WHEREAS, default was made in the payment of said indebtedness described in and secured by said mortgage; and

WHEREAS, notice of the time, place and purposes of said sale, as required by said mortgage has been given in The Shelby County Reporter, a newspaper published in the City of Columbiana, Alabama, by an advertisement published in the issues of said newspaper on October 24, 2012, October 31, 2012, and November 7, 2012; fixing the time of the sale of said property to be during the legal hours of sale on the 19th day of November, 2012, and the place of same at the front door of the Courthouse of Shelby County, in the City of Columbiana, Alabama, and the terms of the sale to be cash; and

WHEREAS, a sale has been made of the said real property hereinafter described during the legal hours of sale on the 19th day of November, 2012, at the front door of the Courthouse of Shelby County, Alabama, in strict conformity with the powers of sale contained in the said mortgage, at which sale **Bank of America, N. A.** was the highest and best bidder and did become the purchaser of the real property hereinafter described for the sum of **\$150,091.80** cash in hand paid by said purchaser to Marcus Clark, as auctioneer who conducted the sale on behalf of the owner of said mortgage; the said Bank of America, N. A. by and through Marcus Clark as such auctioneer, and as its attorney-in-fact, and Brian Kirk and Tiffany B. Kirk by Marcus Clark, as their attorney-in-fact, under and by virtue of the authority contained in said mortgage, do hereby GRANT, BARGAIN, SELL AND CONVEY unto **Bank of America, N. A.**, its successors and assigns, the following described real property situated in the County of Shelby, State of Alabama, to-wit:

**LOT 574, ACCORDING TO MAP AND SURVEY OF FOREST LAKES, 10TH
SECTOR, AS RECORDED IN MAP BOOK 31, PAGE 25 A & B, IN THE OFFICE
OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.**

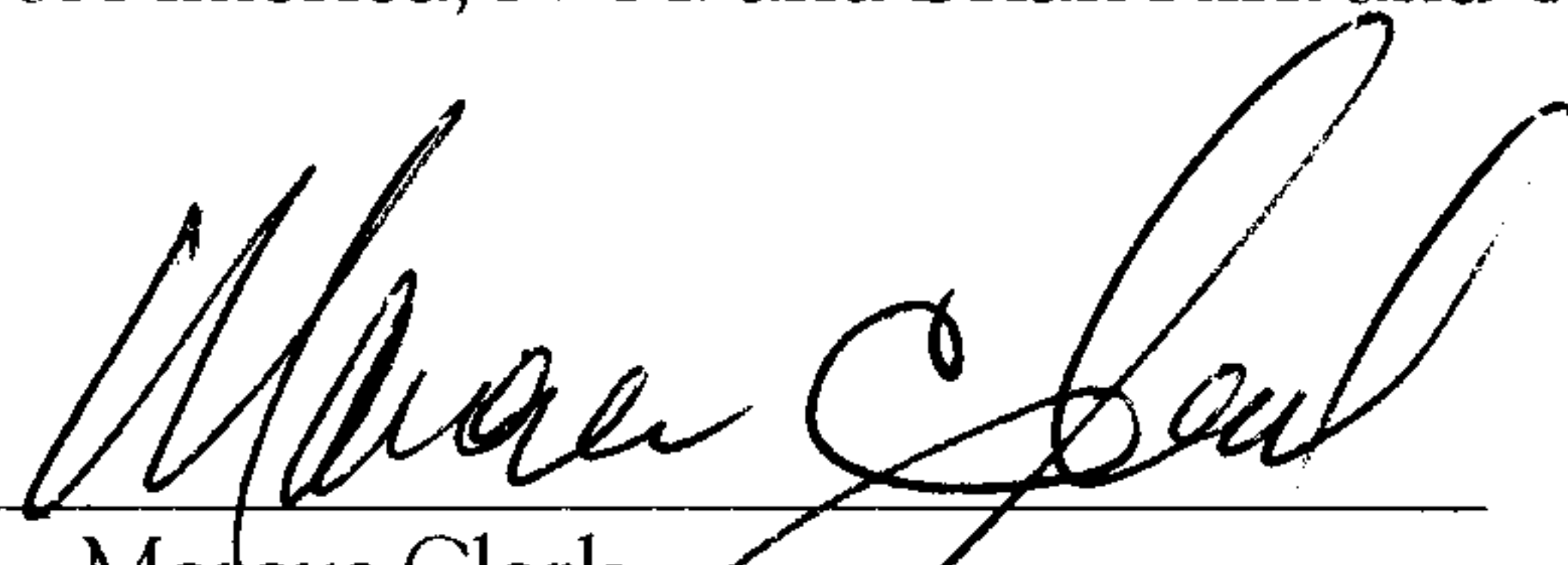
**PROPERTY ADDRESS (for informational purposes only): 370 Forest Lakes Drive,
Sterrett, Alabama 35147**

TOGETHER WITH all and singular the rights, privileges, tenements, hereditaments, easements and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said **Bank of America, N. A.**, the purchaser at said sale, its successors and assigns, forever; subject, however, to the statutory right of redemption on the part of those entitled to redeem as provided by the laws of the State of Alabama, and any and all ad valorem taxes due or assessed.

IN WITNESS WHEREOF, the said Bank of America, N. A. and Brian Kirk and Tiffany B. Kirk, have hereunto set their hands and seals by their said attorney-in-fact and auctioneer at said sale as of the 19th day of November, 2012.

Bank of America, N. A. and Brian Kirk and Tiffany B. Kirk

BY:

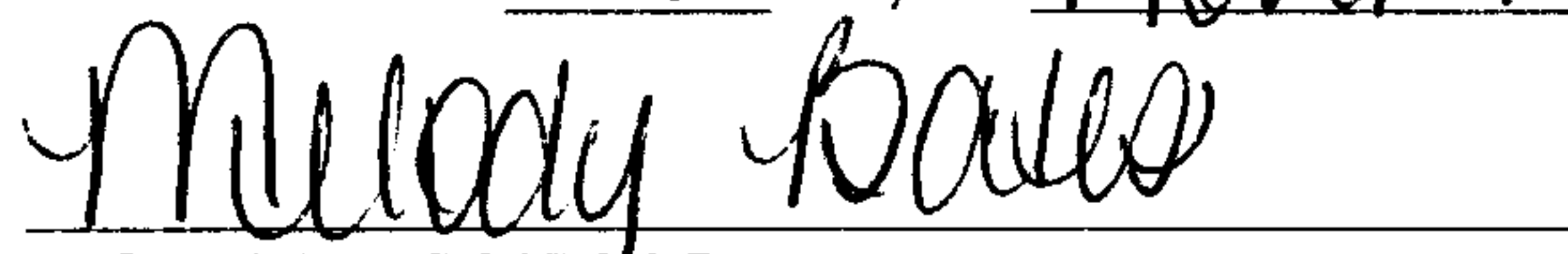


Marcus Clark
As Attorney-in-Fact and Auctioneer

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned Notary Public in and for said State and County, hereby certify that Marcus Clark, whose name as attorney-in-fact and auctioneer for Bank of America, N. A. and Brian Kirk and Tiffany B. Kirk is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, as such attorney-in-fact and auctioneer, executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 19 day of November, 2012.



NOTARY PUBLIC
My Commission Expires: 7/29/13

GRANTEE'S NAME & ADDRESS:

Bank of America, N.A.
5401 N. Beach Street
Ft. Worth, TX 76137

GRANTOR'S NAME & ADDRESS:

Brian Kirk
Tiffany B. Kirk
370 Forest Lakes Drive
Sterrett, Alabama 35147

This instrument prepared by:

Beth McFadden Rouse
McFADDEN, LYON & ROUSE, L.L.C.
718 Downtowner Boulevard
Mobile, Alabama 36609
(251) 342-9172
2474-10115



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